

PATENT
Customer No. 22,852
Attorney Docket No. 8049.0012-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#13

28-04

In re Application of:

Oscar Lee Avant et al.

Serial No.: 09/652,708

Filed: August 31, 2000

For: APPARATUS AND METHODS
FOR READING AN
IDENTIFICATION CODE FROM A
MAILPIECE

) Group Art Unit: 3653

) Examiner: Daniel K. Schlak

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
JAN 28 2004
GROUP 3600

Sir:

RESPONSE TO ELECTION OF SPECIES REQUIREMENTS

02/03/2004 MEVANS
01 FC:1252

00000004 060916 09652708

420.00 DA In an Office Action dated October 22, 2003, the Examiner set forth election of species requirements between six groups of claims allegedly directed to different species. In particular, the Examiner instructed Applicants to choose among three pairs of alternative species.

The Examiner required the election of either species I containing claims 18, 34, 53, and 70 or species II containing claims 19, 35, 54, and 71. Applicants elect to prosecute the claims of species I, i.e., claims 18, 34, 53, and 70.

The Examiner also required the election of either species III containing claims 25, 43, 59, 61, and 78 or species IV containing claims 27, 41, and 76. Applicants elect to prosecute the claims of species IV containing claims 27, 41, and 76.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

Finally, the Examiner required the election of either species V containing claims 28, 44, 63, and 80, or species VI containing claims 29, 45, 64, and 81. Applicants elect to prosecute the claims of species V containing claims 28, 44, 63, and 80.

Applicants acknowledge the Examiner's indication that claims 15-17, 20-24, 26, 30-33, 36-40, 42, 46-52, 55-58, 60, 62, 65-69, 72-75, 77, 79, and 82-84 are generic.

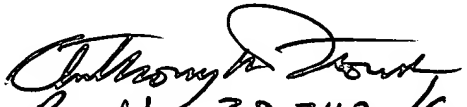
Applicants note that the Office Action contains several characterizations of the claims. Applicants do not necessarily subscribe to those characterizations. For example, Applicants note that the Office Action mischaracterizes the subject matter of at least claims 19, 35, 54, and 71.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 22, 2004

By: 
Reg. No. 38,742 / 12
Lionel M. Lavenue
Reg. No. 46,859